

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69489 of 2025

Arising Out of PS. Case No.-379 Year-2025 Thana- GARKHA District- Saran

1. Raju Nut Son of Deva Nut, Resident of Village – Pithaghat, P.S. - Garkha, District – Saran.
2. Suganti Devi Wife of Chhotan Nut, Resident of Village - Pithaghat, P.S. - Garkha, District – Saran.
3. Sunil Nut son of Shivkumar Nut, Resident of Village - Pithaghat, P.S. - Garkha, District – Saran.
4. Shailesh Nut Son of Budha Nut, Resident of Village - Pithaghat, P.S. - Garkha, District – Saran.
5. Kishor Nut son of Buddhu Nut, Resident of Village - Pithaghat, P.S. - Garkha, District – Saran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hemant Kumar, Advocate.

For the Opposite Party/s : Ms. Gulnar Begum, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 09-10-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Petitioners apprehend arrest in a case registered
under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per prosecution case, there is recovery of 60 litre
illicit country made liquor from a field situated in front of Nat Toli
in Village Pithaghat. One co-accused was apprehended on the spot
who disclosed the names of petitioners that they fled away from
the spot on seeing the police team.

4. Learned counsel for the petitioners submits that
petitioners are innocent and have falsely been implicated in this



case due to ulterior motive. He further submits that the petitioners were not present on the spot and no incriminating article has been recovered from their conscious or constructive possession. Learned counsel submits that the alleged recovery of liquor has been made from an open place which is accessible to public at large and they have no concern with the alleged seized liquor. He further submits that petitioner nos.1 to 4 have got clean antecedent and petitioner no.5 has one criminal antecedent, in which he is on bail and they undertake to cooperate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the concerned Court within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court concerned in connection with Garkha P.S. Case No.379 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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